

## **TRANSFER OF CONTROL AND POSSESSION TO ANOTHER STATE AGENCY**

**3353**

(Sept 1999)

## **TRANSFER BY FORESTRY AND FIRE PROTECTION**

**3353.1**

(Sept 1999)

State property may not be transferred from one state agency to another without the approval of DGS. The transfer must be on a form approved by DGS.

Consideration to be charged, if any, should be shown on the form. The form may be expanded to include any special provisions necessary. Technical Services will finalize all such transfers based upon information furnished by the regions.

The request for conveyance should be examined for possible effect on any remaining portion and any remedial measures that may be adopted to prevent probable fire emergency response. If the request occasions a detriment, and it is such that a remedial solution cannot be effected, then the request must either be refused, or the entirety of CDF parcel forsworn, and the facility be relocated in its entirety elsewhere.

Compensation must be based on fair market at the time of the transfer. State appraisers (rather than private) will determine all values. DGS will, upon request, determine the fair market value; however, no compensation will be paid when a transfer is made between agencies whose activities are financed from a common fund. Such transactions must have the approval of the transferring agency, the transferee agency, and the Department of Finance. DGS processing fees are to be paid by the requesting agency.

Documents to be approved should be submitted to RESD with all supporting appraisal data and information necessary for a full understanding of the transaction. RESD will evaluate the application based upon its valuation, terms of the agreement, and any special provisions. Requests must clearly indicate the source of funds and which transaction parties are responsible for costs incurred by RESD.

Processing procedures are as follows:

- The requesting agency contacts the region, which forwards the document to the Sacramento Headquarters Technical Services Lands Unit; if approved.
- A Memorandum of Understanding document is prepared and concluded between the two state agencies, listing that desired and reserved by both.
- The Lands Unit and requesting agency prepare the transfer document, based upon the conditions contained in the Memorandum of Understanding.
- The Lands Unit or requesting agency prepares and obtains CEQA clearance.

- The Lands Unit has the director sign the document and then forwards the completed document along with pertinent documentation to the requesting agency.
- The requesting agency approves and presents it to RESD for approval.
- DGS concludes the necessary parcel review and appraisal, finalizes the document, and returns copies to the requesting agency.
- DGS assesses the requesting agency for its services.
- The requesting agency furnishes finalized documentation to the Lands Unit, which in turn furnishes copies to the region.

## **TRANSFER BY GENERAL SERVICES**

**3353.2**

**(Sept 1999)**

Once CDF has declared a parcel to be surplus to its needs, it is the responsibility of DGS to determine if any other state agency requires the use of that land. If DGS determines that any such land is needed by any other state agency, it may transfer the jurisdiction of the land to that state agency upon such terms and conditions as it may deem to be in the best interests of the state.

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